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8                   **UNITED STATES DISTRICT COURT**  
9                   **EASTERN DISTRICT OF CALIFORNIA**

10  
11 UNITED STATES OF AMERICA,  
12                   Plaintiff,  
13                   v.  
14 MOSES L. BURRELL,  
15                   Defendant.

Case No. 5:25-po-00106-CDB  
CVB Violation 09887804 / CA14  
ORDER REQUIRING UNITED STATES OF  
AMERICA TO FILE REPORT AND  
DECLARATION  
**7-Day Deadline**

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18       On March 6, 2025, Defendant Moses L. Burrell was issued Violation Notice 09887804 for  
19 violating Section 22349 of the California Vehicle Code (speeding), with a total collateral due of  
20 \$230.00. (Doc. 1). On May 14, 2025, Defendant made a partial payment of \$130.00 toward the  
21 collateral. (Doc. 3). On June 6, 2025, Defendant failed to appear for a noticed initial appearance on  
22 the citation. As a result, an additional \$100.00 penalty was assessed and the Court issued an arrest  
23 warrant and ordered the lodging of an abstract with the Department of Motor Vehicles. (Docs. 4, 5).

24       On July 9, 2025, Defendant contacted the undersigned's courtroom deputy via email. In his  
25 email, Defendant represented his version of the citation he received listed only \$130.00 as a total  
26 collateral due (not \$230.00, as reflected on the docked version of the citation). Defendant attached to  
27 his email a copy of the original citation (attached hereto as Exhibit A).

1       The following day (July 10, 2025), counsel for the government (Capt. Matthew H. Norwood)  
2 contacted the undersigned's courtroom deputy via email to request that an "adjustment" be made to  
3 Defendant's total collateral due (in the form of a \$100.00 reduction). In his email, Capt. Norwood  
4 included earlier correspondence he had with a representative of the Central Violations Bureau of the  
5 Administrative Office of the U.S. Courts, in which he appeared to characterize the \$100.00  
6 discrepancy between Defendant's version of the citation, and the docketed version, as "an internal  
7 error on our end."

8       Based on the events recounted above, it appears to the Court that the officer who cited  
9 Defendant may have increased the total collateral due reflected on the citation after citing Defendant  
10 but before reporting the citation to the Central Violations Bureau. If true, the government's conduct  
11 has unnecessarily and unreasonably multiplied these proceedings by causing (directly or indirectly) a  
12 finding that Defendant failed to appear for a duly noticed court hearing, resulting in the imposition of a  
13 failure-to-appear penalty and issuance of arrest warrant and vehicle abstract. Accordingly, the Court  
14 will direct the government to file a report and include a declaration by the citing officer signed under  
15 penalty of perjury explaining the discrepancy.

16       **Conclusion and Order**

17       Accordingly, the Court HEREBY ORDERS the United States of America to file within seven  
18 (7) days of entry of this order (1) a report from counsel for the government and (2) a declaration by the  
19 citing officer explaining the discrepancies in the versions of the citation noted herein.

20       Any failure to timely comply with this order may result in the imposition of sanctions.

21 IT IS SO ORDERED.

22 Dated: July 14, 2025

  
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UNITED STATES MAGISTRATE JUDGE

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EXHIBIT A

United States District Court  
Violation Notice

(Rev. 1/2019)

Location Code	Violation Number	Officer Name (Print)	Officer No.
CA14	09887804	I. Welsch	W1530

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense	Offense Charged <input type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code
03/06/2023 3:46	18 USC 13 22349(a)

Place of Offense

120 MMO Edwards AFB 93529

Offense Description: Factual Basis for Charge

700 CUL 22349(a) 77 mph in a posted

55 mph zone. Radio KC 184018

BA 412 MXI 5187 Reg 391

DEFENDANT INFORMATION

Last Name

Burke

First Name

Moses

M.I.

L

VEHICLE

VIN:

CMV

Tag No.

DW3321

State

CA

Year

71

Make/Model

Jeep Cherokee

PASS

Color

Blue

APPEARANCE IS REQUIRED

A  If Box A is checked, you must appear in court. See instructions (on reverse side).

APPEARANCE IS OPTIONAL

B  If Box B is checked, you must pay the total collateral due or in lieu of payment appear in court. See instructions (on reverse side).

\$ 100 Forfeiture Amount

+ \$30 Processing Fee

\$ 130 Total Collateral Due

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address

US Post Office  
5100 Main Street  
Bakersfield CA 93301

Date

Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or in lieu of appearance pay the total collateral due.

X Defendant Signature

Defendant Copy

